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SEP 21 2012

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KEVIN JOSEPH SMITH,

Plaintiff,

v.

AL STICKNEY, et al.,

Defendants.

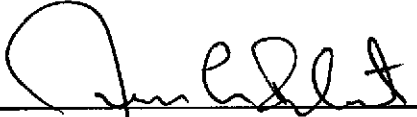
Case No. C11-1874-JLR

**ORDER OF DISMISSAL**

The Court, having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) This action is **DISMISSED** without prejudice.
- (3) The Clerk is directed to send copies of this Order to plaintiff and to Judge Tsuchida.

DATED this 21<sup>st</sup> day of Sept., 2012.

  
JAMES L. ROBERT  
United States District Judge